



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEN WEEKLY and REESE

Also Present: DEPUTY CITY MANAGER DOUG SELBY, CHIEF DEPUTY CITY ATTORNEY VAL STEED, MANAGER OF BUSINESS SERVICES JIM DiFIORE, and DEPUTY CITY CLERK ANGELA CROLLI

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:03)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

ABEYANCE ITEM - **Bill No. 2001-83** – Establishes rules, regulations and business licensing requirements for farmers' markets. Proposed by: Mark Vincent, Director of Finance & Business Services

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill proposes licensing standards and regulatory provisions for farmers' markets as well as for promoters of such activities. In addition to farm product vendors, this bill permits non-farm product vendors in limited numbers and locations at a farmers' market, upon their first obtaining and thereafter maintaining a valid permit. The annual license fee for a farmers' market promoter will be two hundred dollars for a primary location and fifty dollars annually for each additional promoted farmers' market. Non-farm product vendors will be required to pay a ten dollar permit fee each month.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-83

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-83 be HELD IN ABEYANCE to the 10/01/2001 Recommending Committee Meeting – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 17, 2001

City Attorney

Item 1 –Bill No. 2001-83

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that this item was held in abeyance in order to discuss and resolve concerns raised. Since that time, comments have been obtained from various City Departments and the Clark County Health District. He presented a Proposed First Amendment,^z which included various clarifications. “Certification” and “Certificate” have been clarified in response to concerns from the Health District. On page 3, the annual business license fee has been reduced from \$200 to \$100 for a market promoter’s designated primary location. Also on page 3 the definition of “farm products” has been expanded to include items in addition to agricultural, horticultural, viticultural and vegetable products such as animals. The amended definition includes those four items and an exemption of timber products. Additionally, pursuant to the Health District’s request, language has been added requiring compliance with health permit and any other Health District’s requirements.

JIM DiFIORE, Manager of Business Services, explained that presently licensed farmers’ markets allow participation of businesses that do not sell farm products. This Bill includes a term called “non-farm product vendors” and sets forth separate license requirements and payment to the City of a \$10 monthly fee for participation in a farmers’ market. However, this license can be issued on a month-to-month basis for the entire year and does not bind them to a long period of time. Further, it would be up to the market promoter and the non-farm product vendor as to the term and length of stay at the farmers’ market.

VIRGINIA JOHNSON, Board Member of Nevada Certified Farmers Market Association and Managing Member of the Las Vegas Farmers Market LLC, asked that this item be held in abeyance to give members an opportunity to participate in discussions regarding this ordinance. She outlined concerns needing to be clarified, as this Ordinance would impact all the farmers’ market in the City. She asked if fees are being imposed on other similar entities, such as grocers and if not, why not. She questioned whether the \$200 fee, as well as any other permits fees or processing fees, is for a primary location or for all locations and asked about secondary locations. Lastly, she asked whether the annual permit fee of \$55 is for each vendor at the market and whether such licensing fees would be waived for attendees. MS. JOHNSON referred to Section 6 which states that 60% of the total number of vendors must be farmers and the effect if some of the farmers anticipated to be present do not attend, as often happens. The Ordinance would severely impact all the vendors if adopted as presented.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 17, 2001

City Attorney

Item 1 –Bill No. 2001-83

MINUTES – Continued:

COUNCILMAN WEEKLY discussed with MR. DiFIORE that the farmers' market vendors were notified about this Bill and the proposed additional language. MR. DiFIORE added that he met with BILL FLOTHER, the original Las Vegas farmers' market promoter, a year ago and much of the content of this Bill was taken from his conversations with MR. FLOTHER. At that point in time, there was only one farmers' market organization. Since that time, he believes there has been a separation of the farmers' market.

MS. JOHNSON answered that MR. DiFIORE was correct and that she is part of the first farmers' market group. She further questioned whether non-farmer vendors paying their own licensing fees would still be in effect or if this Bill would waive that \$10.00 fee. She also asked whether there would be promotional and test markets in other areas of town. Non-farm products described in Section 7 needs to be further clarified. For example, a farmer may produce apples but would he also be able to sell apple jelly or apple bread at the same location? Finally MS. JOHNSON asked why a licensed operator vending truck or ice cream approved by the Health District Code cannot participate if approved by the farmers' market management?

MR. DiFIORE recommended that the item be held in abeyance since the Bill has not yet been published to give him time to sit with MS. JOHNSON and respond to her concerns and explain the proposed changes. COUNCILMAN WEEKLY recommended that MS. JOHNSON provide a list of concerns to staff for review and look at the proposed language changes. MS. JOHNSON agreed to do so and submitted a letter for the record.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:15)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-86 – Annexation No. A-0009-01(A) – Property Location: On the north side of O'Hare Road, east of the Fort Apache Road alignment; Petitioned By: Barbara Singleton Trust, et al; Acreage: 13.68 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of O'Hare Road, east of the Fort Apache Road alignment. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 12, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-86 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-86 be forwarded to the Full Council as a First Amendment with a "Do Pass" recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 17, 2001

City Attorney

Item 2 –Bill No. 2001-86

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that after the item was submitted for the agenda it was discovered that approximately eight words were left out of the legal description. He proposed that the Bill be amended to add the corrected legal description in the First Amendment.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:15 – 4:16)

1-385

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-87 – Annexation No. A-0010-01(A) – Property Location: On the southeast corner of Log Cabin Way and Fort Apache Road; Petitioned By: Love Family Trust; Acreage: 10.25 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Log Cabin Way and Fort Apache Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 12, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-87 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-87 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the bill was in order.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 17, 2001
City Attorney
Item 3 –Bill No. 2001-87

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:16 – 4:17)

1-416

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-88 – Annexation No. A-0043-01(A) – Property Location: On the north side of Horse Drive, approximately 330 feet east of El Capitan Way; Petitioned By: Shriner's Childrens Hospital, et al; Acreage: 10.32 acres; Zoned: R-A (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Horse Drive, approximately 330 feet east of El Capitan Way. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 12, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-88 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-88 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the bill was in order.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 17, 2001
City Attorney
Item 4 –Bill No. 2001-88

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:17)

1-433

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-89 – Ordinance Creating Special Improvement District No. 1478 - Vegas Drive
(Rancho Drive to I-15) Sponsored by: Step Requirement

Fiscal Impact

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No Impact

Amount: \$216,082.77

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Budget Funds Available

Dept./Division: PW/SID

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Augmentation Required

Funding Source: Capital Projects Fund - Special
Assessments

PURPOSE/BACKGROUND:

Installation of pavement, median islands with left turn lanes and/or continuous left turn lane, "L" type curb and gutter, sidewalks, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-89

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-89 be forwarded to the Full Council with a “Do Pass” recommendation – **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the bill was in order.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:17 – 4:18)

**RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 17, 2001**

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None.

(4:18)
1-461

MEETING ADJOURNED AT 4:18 P.M. (1-463)

Respectfully submitted: _____
ANGELA CROLLI
September 17, 2001